

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gregory Thorne on 03 September 2009.

The application has been amended as follows:

In the claims:

Claim 1, last line, after "chamber" insert -- ,wherein at least a portion of said dispensing channel extends through a piston member that extends downwards from said bottom, said piston being part of said adjustment structure --;

Cancel claim 5;

Claim 10, line 1, delete "The" and insert -- A -- therefor, delete "according to claim 6" and insert -- for brewing a beverage from water and a quantity of particle material, comprising: a water supply structure; a brewing arrangement bounding a brewing chamber downstream of the water supply structure for receiving water supplied by the water supply structure; said brewing arrangement comprising a bounding member adjustable for adjusting the operational size of the brewing chamber and an adjustment structure for adjusting said bounding member; and a dispensing channel downstream of the brewing chamber when in a operational condition during the brewing of a beverage; wherein said adjustment structure automatically adjusts in response to

the quantity of particles present in said brewing chamber, wherein said cover is operatively connected to said adjustment structure -- therefor;

Claim 17, line 9, after "portion;" insert -- a cover; a locking member; --;

Claim 17, last line, after "chamber" insert -- ,and wherein the cover is displaceable away from said brewing chamber for allowing access to said brewing "chamber, and wherein the locking member is operable in response to locking the cover in a closed position, to lock the adjustable bottom portion in an adjusted position --;

Cancel claim 20.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reginald L. Alexander whose telephone number is 571-272-1395. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tu Hoang can be reached on 571-272-4780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Reginald L. Alexander/
Primary Examiner
Art Unit 3742